

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Jose Luis Velazquez,	:
Plaintiff,	:
	:
v.	: File No. 2:11 CV 60
	:
Vermont Department of	:
Corrections, Southern State	:
Correctional Facility,	:
Defendants.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed March 15, 2011. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

It is hereby ordered that the complaint in this case be DISMISSED. It is further ordered that Plaintiff be allowed thirty (30) days in which to file an amended complaint. Failure to comply with this deadline should result in the dismissal of his complaint with prejudice.

Dated at Burlington, in the District of Vermont, this 4th day of April, 2011.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge